

## REMARKS

The Office Action of March 18, 2009, has been carefully reviewed, and in view of the above amendments and the following remarks, reconsideration and allowance of the pending claims are respectfully requested.

At the outset, Applicant and the undersigned counsel for Applicant would like to express their gratitude to Examiner Chapman for the courtesies extended during the personal interview conducted on September 8, 2009. During the interview, proposed claim language was discussed and the Applicant emphasized that the claimed invention is directed to a curtain wall structure, which by definition is going to be utilized on an exterior surface of a building. Thus, the problem to be solved is an economical way to provide power and/or data to the exterior walls of a building without requiring separate metal stud and finish partitions with conduits and outlets, as conventionally constructed. The claimed invention solves this problem by providing a recess or wireway for the power and/or data cables that is integrated with the curtain wall structure -- as recited in the title of the instant application. Applicant submits this combination has not previously been disclosed or suggested by the prior art, as common sense tends to teach away from placing power/data cables in an exterior wall structure that could be subject to moisture and/or dirt penetration.

In the above Office Action, claims 1, 3-17 and 19 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,158,182 to *Biebuyck* in view of U.S. Patent No. 5,792,992 to *Handler*, and claims 2 and 17-18 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Biebuyck* in view of *Handler* and further in view of U.S. Patent No. 3,064,110 to *Vogler*. For at least the following reasons, these rejections are respectfully traversed.

As set forth above, amended independent claim 1 is directed to a curtain wall structure having a U-shaped channel for receiving a glazed panel therewithin, the improvement comprising a structural portion alongside the U-shaped channel including at least one opening for receiving means for securing the curtain wall structure in place, and a recess disposed inwardly of the U-shaped channel and the structural portion and integrated therewith, wherein said recess defines at least one wireway for power and/or data/telecommunication cables in the curtain wall structure.

Amended independent claim 13 is directed to a curtain wall structure comprising a channel section for receiving a glazed wall panel therewithin, an anchoring section spaced inwardly of the channel section, said anchoring section including at least one opening for receiving means for securing the curtain wall structure in place; and an enclosed wireway for power and/or data/telecommunication cables disposed inwardly of the channel section and the anchoring section and integrated therewith.

One of the advantages of the claimed invention is that it provides a wireway or so-called channel for the cables which is separate and distinct from the channel housing the bolt or other securing means which attaches the curtain wall structure to the concrete slab. The channel housing the bolt must include holes in order for the bolt to pass therethrough, thus allowing dust and dirt to enter the housing, in addition to the risk of moisture entering through the holes. The provision of a separate wireway without such holes eliminates this issue and has not been previously been used in a curtain wall structure.

The primary reference upon which the Examiner relies, *Biebuyck*, discloses a curtain wall having a U-shaped receiving area for panel 120d and a structure 134 having holes 168 so that bolts 46 can be inserted therethrough. However, *Biebuyck*, does not disclose or suggest a further channel or wireway disposed inwardly of both the U-shaped receiving area and the structure having the bolts which is integrated therewith for receiving power and/or data/telecommunication cables.

The secondary reference upon which the Examiner relies, *Handler*, is directed to a conventional wire raceway. Applicant respectfully submits that there is no suggestion and thus no motivation to combine the wire raceway of *Handler* with the curtain wall structure of *Biebuyck*. *Biebuyck* is directed to a curtain wall structure intended for use on the exterior walls of a building, as is the claimed invention. One skilled in the art would expect moisture or water to be present near or within the curtain wall structure and thus would not be motivated to place electrical, power and other moisture sensitive cables proximal to the curtain wall. Thus, Applicant respectfully submits that without the use of hindsight, a curtain wall structure with an integrated wireway and the modification proposed by the Examiner would not have been obvious.

Newly added claims 21 and 23 define the recess or enclosed wireway as being the inwardly disposed terminal end of the curtain wall structure. The wireway disclosed in *Handler* would require that the ends thereof be mounted in order to secure the wireway in place. Because the recess or enclosed wireway of the claimed invention is integrated with the structural portion or anchoring section, respectively, or the curtain wall structure, it does not require independent securement.

Newly added claims 22 and 24 further define a plurality of power and/or data/telecommunication cables preloaded within the recess or enclosed wireway of the curtain wall structure. Since the use of a wireway integrated with a curtain wall structure has not previously been contemplated, the placement of wires therewithin has similarly not suggested by the cited prior art.

A detailed discussion of the additional distinguishing aspects of the curtain wall structure recited in the remaining dependent claims is not set forth at this time as the dependent claims are allowable by virtue of their dependence from allowable independent claims 1 and 13.

### **CONCLUSION**

In view of the above amendments and remarks, Applicant respectfully submits that the claims of the present application are now in condition for allowance, and an early indication of the same is earnestly solicited.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference would be helpful in resolving any remaining issues pertaining to this application; the Examiner is kindly invited to call the undersigned counsel for Applicant regarding the same.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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By: /WendiLWeinstein/

Wendi L. Weinstein  
Registration No. 34456

P.O. Box 1404  
Alexandria, VA 22313-1404  
703 836 6620